

***UNITED STATES DISTRICT COURT***  
***SOUTHERN DISTRICT OF OHIO***

**JUDGMENT IN A CIVIL CASE**

Gary D. Hammond,	:	
	:	
Plaintiff	:	Civil Action 2:08-cv-01063
	:	
v.	:	Judge Marbley
	:	
Fred Wilson,	:	Magistrate Judge Abel
	:	
Defendant	:	

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the February 23, 2009 Opinion and Order the Report and Recommendation is ADOPTED. This action is hereby DISMISSED for failure to state a claim for relief against defendant.

Date: **February 23, 2009**

**James Bonini, Clerk**

s/Betty L. Clark

Betty L. Clark/Deputy Clerk